

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**VANGUARD IDENTIFICATION SYSTEMS,
INC.,**

Plaintiff,

v.

RONNIE E. GOADE, SR., et. al.

Defendants.

CIVIL ACTION

NO. 02-2943

PLAINTIFFS' OBJECTIONS TO DEFENDANTS' BILL OF COST

1. Defendants are not entitled to recover costs because of their unclean hands, bad faith, dilatory tactics, and failures to comply with process during the course of the instant litigation and the cost award proceedings. Further, Plaintiff acted in good faith and the issues in the case were close and difficult.

2. Even if costs were to be awarded, Defendants' Bill of Costs is excessive and unjustified in a number of respects. First, Defendants are not entitled to fees for taking videotaped depositions remotely. The charges for remote video depositions are both unnecessary and also not "fees of the court reporter for all or any part of the stenographic transcript . . ." Defendants opted to use a video conference system rather than travel to the location of the witness whose deposition Defendants were taking or to Philadelphia, where Plaintiff was taking a deposition. Thus, Defendants are not entitled to recover the following items on their attached list of costs: I(b)(ii)(\$1,980); I(c)(ii)(\$2,070); I(e)(ii)(\$1,322.50).

3. Secondly, Defendants are not entitled to recover for paying for the videotapes when the written transcripts were available and could have been sufficient. Thus, Defendants are

not entitled to recover for I(b)(iii)(\$534.25); I(c)(iii)(\$160.00); I(d)(ii)(\$80.00); I(e)(iii)(\$225.00).

4. Finally, the photocopying charge for trial exhibits of \$2,004.86 is excessive. At \$0.8 per page, that represents over 25,000 pages. Further, absolutely **no** support for this charge was provided other than a question-begging line-item of an attorney's bill. This cost should also be stricken.

Respectfully submitted,

BOCHETTO & LENTZ, P.C.
DJP2105; GB1066

By: _____
George Bochetto, Esquire
David J. Perlman, Esquire
David P. Heim, Esquire
1524 Locust Street
Philadelphia, PA 19102
Ph: (215) 735-3900
Fx: (215) 735-2455

Date: February 22, 2005

Attorneys for Plaintiff
Vanguard Identification Systems, Inc.

CERTIFICATE OF SERVICE

I, David J. Perlman, Esquire, hereby certify that I caused to be served a true and correct copy of the Plaintiffs' Objections to Defendants' Bill of Costs upon the following counsel via U.S. mail:

Marc L. Zaken, Esquire
EDWARDS & ANGELL
3 Stamford Plaza
301 Tresser Boulevard
Stamford, CT 06901

A. Richard Feldman, Esquire
BAZELON, LESS & FELDMAN, P.C.
1515 Market Street, Suite 700
Philadelphia, PA 19102-1907

BOCHETTO & LENTZ, P.C.
DJP2105

By: _____
David J. Perlman, Esquire

Date: February 22, 2005